



ALEXANDER R. ROUSTAEI
7372 FAY AVENUE
LA JOLLA, CA 92037

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FEB 11 2003

OFFICE OF PETITIONS

In re Application of
Roustaei, Lawrence, Lebaschi, Bian & Fisher
Application No.: 09/579,023
Filed: May 25, 2000
Attorney Docket No.: 15031.340
For: OPTICAL SCANNER FOR READING AND
DECODING ONE-AND-TWO-DIMENSIONAL
SYMBOLOGIES AT VARIABLE DEPTHS OF
FIELD INCLUDING MEMORY EFFICIENT HIGH
SPEED IMAGE PROCESSING MEANS AND
HIGH ACCURACY IMAGE ANALYSIS MEANS

LETTER

Dear Mr. Roustaei:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Requests for information regarding your application should be directed to the File Information Unit at (703)308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703)308-9726 or 1(800)972-6382 (outside the Washington D.C. area).

Telephone inquiries regarding this communication should be directed to the undersigned at (703) 308-6712.

E. Shirene Willis
Senior Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
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ATTORNEY OF RECORD: CLIFFORD CHANCE ROGERS & WELLS LLP
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NEW YORK NY 10166-0153



UNITED STATES PATENT AND TRADEMARK OFFICE

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LETTER

Dear Mr. Lawrence:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

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ALI LEBASCHI
4158 DECORO STREET, APT. 65
SAN DIEGO, CA 92122

In re Application of
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Dear Mr. Lebaschi:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

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LETTER

Dear Mr. Bian:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

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ATTORNEY OF RECORD: CLIFFORD CHANCE ROGERS & WELLS LLP
200 PARK AVENUE
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Paper No. 14

CLIFFORD CHANCE ROGERS & WELLS LLP
200 PARK AVENUE
NEW YORK NY 10166-0153

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DECISION ACCORDING STATUS
UNDER 37 CFR 1.47(a)

This is a decision on the reconsideration petition under 37 CFR 1.47(a), filed December 17, 2002.

The petition is **GRANTED**.

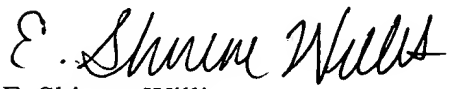
Petitioner has shown that the non-signing inventors cannot be located or refuse to join in the filing of the application. Specifically, the declaration of Melissa Scanzillo and accompanying exhibits establish that joint inventors Bian, Lawrence, and Lebaschi could not be located despite Internet and telephone searches and that joint inventor Roustaei was mailed the application papers, including the specification, claims and drawings, but failed to respond to the request that he sign the declaration. Petitioner has submitted a declaration in compliance with 37 CFR 1.63, 1.64, and 1.175.

This application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventors at their respective addresses given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

After this decision is mailed, the above-identified application will be forwarded to Technology Center 2800 for examination in due course.

Telephone inquiries should be directed to the undersigned at (703) 308-6712.

A handwritten signature in black ink, appearing to read "E. Shirene Willis". The signature is fluid and cursive, with the first letter of each word being capitalized and prominent.

E. Shirene Willis
Senior Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy